

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
62nd LEGISLATURE - REGULAR SESSION**

HOUSE EDUCATION COMMITTEE

Date: Monday, March 21, 2011

Place: Capitol

3:17
Time: ~~3:00~~ PM
Room: 137

BILLS and RESOLUTIONS HEARD:

SB 141 - Address bullying in Montana schools

SB 208 - Allowing Saturday school in K-12 schools

SB 315 - Revise school law on standard of review for school board decisions

EXECUTIVE ACTION TAKEN:

HB 603

Comments:



REP. Scott Reichner, Chair

HOUSE OF REPRESENTATIVES
Roll Call
EDUCATION COMMITTEE

DATE: 3/21/2011

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. SCOTT REICHNER, CHAIR	X	
REP. KRISTIN HANSEN, VICE CHAIR	X	
REP. BRYCE BENNETT	X	
REP. MARK BLASDEL		X
REP. JOANNE BLYTON	X	
REP. CHRISTY CLARK	X	
REP. LILA EVANS	X	
REP. SUE MALEK	X	
REP. EDIE MCCLAFFERTY	X	
REP. JONATHAN MCNIVEN	X	
REP. JEAN PRICE	X	
REP. DANIEL SALOMON	X	
REP. BOB WAGNER		X
REP. TED WASHBURN	X	
REP. JEFFREY WELBORN	X	
REP. FRANKE WILMER		X



HOUSE STANDING COMMITTEE REPORT

March 21, 2011

Page 1 of 4

Mr. Speaker:

We, your committee on **Education** recommend that **House Bill 603** (first reading copy -- white) **do pass as amended.**

Signed: _____

Representative Scott Reichner, Chair

And, that such amendments read:

1. Title, page 1, line 11.

Strike: "PROVIDING RULEMAKING AUTHORITY;"

2. Title, page 1, line 12.

Following: "COSTS;"

Insert: "PROVIDING SPENDING AUTHORITY;"

3. Page 2, lines 9 through 11.

Strike: lines 9 through 11 in their entirety

4. Page 4.

Strike: lines 14 and 15

Insert: "There is an independent state public charter school commission with statewide chartering jurisdiction and authority."

5. Page 4, lines 19 and 20.

Strike: "by the governor and are subject to the following qualifications:"

Insert: "as follows:"

(a) three members appointed by the governor;

(b) three members appointed by the president of the senate;

and

(c) three members appointed by the speaker of the house.

(4) The commission members are subject to the following qualifications:"

Renumber: subsequent subsections

Committee Vote:

Yes 11, No 5

Fiscal Note Required ☐

HB0603001SC.hgh

Handwritten initials and date:
11-22
11-2

6. Page 4, line 21.

Strike: "and"

Following: line 21

Insert: "(b) no more than two members may be public employees;

(c) one of the public employee members may be from the board of public education; and"

Renumber: subsequent subsections

7. Page 4, line 22.

Following: "governor"

Insert: ", president of the senate, and speaker of the house"

8. Page 4, lines 28 through 30.

Strike: "Members" on line 28 through "." on line 30.

Insert: "Each appointing authority shall appoint one member to a 4-year term, one member to a 3-year term, and one member to a 2-year term."

9. Page 5, line 7.

Following: "office"

Insert: ", including but not limited to failure to approve an authorizer without just cause and interference with the functions of the commission as set forth in [sections 1 through 17]"

10. Page 5, line 9.

Strike: "subsection (3)"

Insert: "subsections (3) and (4)"

11. Page 5, following line 11.

Insert: "(10) The commission is authorized to receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of [sections 1 through 17], subject to the terms and conditions under which they are given.

(11) The commission is allocated to the department of administration for administrative purposes only as prescribed by 2-15-121, with the exception of 2-15-121(2)(d). The commission shall hire employees necessary to carry out the purposes of [sections 1 through 17]."

12. Page 5, line 24.

Strike: "subsection (4)"

Insert: "this section"

13. Page 8, line 23.

Following: "funding"

Strike: "and an oversight fee"

14. Page 8, line 24.

Following: "state."

Insert: "Authorizer funding is financed through an oversight fee."

15. Page 21, lines 23 and 24.

Following: "unless"

Strike: "the" on line 23 through "school" on line 24

Insert: ": (a) the public charter school is being converted from an existing public school;

(b) the school district elects to establish a public charter school;

(c) the school district elects to convert a grade or grades to a public charter school from an existing school;

(d) the public charter school is a tribal charter school; or

(e) the public charter school is a virtual public charter school"

16. Page 22, line 6.

Following: "provisions."

Insert: "Funds must be paid from the state directly to a public charter school in the same manner and at the same time as funds are paid to public school districts under this title."

17. Page 22, line 7.

Following: "For"

Strike: "budgeting purposes,"

Insert: "receipt of BASE aid as defined in 20-9-306 or other county equalization aid,"

18. Page 23, line 25 through page 24, line 24.

Strike: subsection (10) in its entirety

19. Page 24, line 27.

Strike: "on"

Insert: "by"

20. Page 25, lines 6 and 7.

Following: "20-9-311"

Strike: "and approved by the superintendent of public instruction"

21. Page 25, line 18.

Following: "chapter 9."

Insert: "A public charter school may expend funds according to its charter contract and is not subject to budget restrictions under Title 20, chapter 9."

22. Page 25, lines 26 through 28.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

23. Page 26, lines 9 through 11.

Strike: subsection (8) in its entirety

Insert: "(8) Nothing in [sections 1 through 17] may be construed to prohibit any person or organization from providing funding or other assistance for the establishment or operation of a public charter school. The governing board of a public charter school is authorized to accept gifts, donations, and grants of any kind made to the public charter school and to expend or use the gifts, donations, or grants in accordance with the conditions prescribed by the donor. A gift, donation, or grant may not be accepted if the gift, donation, or grant is subject to a condition that is contrary to any provision of law or term of the charter contract.

(9) Money received by a public charter school from any source and remaining in the public charter school's accounts at the end of a budget year must remain in the public chapter school's accounts for use by the public charter school in subsequent years."

24. Page 27, line 26.

Following: "schools."

Insert: "A gift, donation, or grant made directly to a public charter school or schools is not prohibited by this subsection."

25. Page 38, line 10.

Following: "and"

Strike: "hire"

Insert: "approve"

Following: "establishment"

Strike: "or conversion"

26. Page 38, line 11.

Insert: "The appropriation must be made upon passage and approval of [this act]."

- END -

HOUSE OF REPRESENTATIVES
Roll Call Vote
EDUCATION COMMITTEE

DATE: 3/21/2011 BILL NO HB 603 MOTION NO. _____

MOTION: DO Pass as amended

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRISTIN HANSEN, VICE CHAIR	X		
REP. EDIE MCCLAFFERTY, VICE CHAIR		X	
REP. BRYCE BENNET		X	
REP. MARK BLASDEL	X		
REP. JOANNE BLYTON	X		
REP. CHRISTY CLARK	X		
REP. LILA EVANS	X		
REP. SUE MALEK		X	
REP. JONATHAN MCNIVEN	X		X
REP. JEAN PRICE		X	
REP. DANIEL SALOMON	X		
REP. BOB WAGNER	X		
REP. TED WASHBURN	X		
REP. JEFFREY WELBORN	X		
REP. FRANKE WILMER		X	
REP. SCOTT REICHNER, CHAIR	X		X

HOUSE OF REPRESENTATIVES
Roll Call Vote
EDUCATION COMMITTEE

DATE: 3/21/2011 BILL NO HB 603 MOTION NO. _____
 MOTION: Be Amended

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRISTIN HANSEN, VICE CHAIR	X		
REP. EDIE MCCLAFFERTY, VICE CHAIR		X	
REP. BRYCE BENNET		X	
REP. MARK BLASDEL	X		
REP. JOANNE BLYTON	X		
REP. CHRISTY CLARK	X		
REP. LILA EVANS	X		
REP. SUE MALEK		X	
REP. JONATHAN MCNIVEN	X		X
REP. JEAN PRICE		X	
REP. DANIEL SALOMON	X		
REP. BOB WAGNER	X		
REP. TED WASHBURN	X		
REP. JEFFREY WELBORN	X		
REP. FRANKE WILMER		X	
REP. SCOTT REICHNER, CHAIR	X		X

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the House Education

Committee because of other commitments. I desire to leave my proxy vote with:

Jeff WELBORN

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

603	✓	
HB 060301.ADW	✓	

BILL/AMENDMENT

AYE NO

Rep.

Jonathan Z. Medley
(Signature)

Date

5/20/11

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Scott Reichner


Committee because of other commitments. I desire to leave my proxy vote with:

Rep. Kris Hansen

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
Amd. to HB 603	X	
HB 603	X	

BILL/AMENDMENT	AYE	NO

Rep. 
(Signature)

Date _____

MONTANA House of Representatives
Visitors Register
HOUSE EDUCATION COMMITTEE

Monday, March 21, 2011

SB 141 - Address bullying in Montana schools

Sponsor: Senator Kim Gillan

PLEASE PRINT

Name	Representing	Support	Oppose
LANCE MELTON	MTSEA	X	
Orzi Paol	Self		X
Paul O'Connell	SELF	X	
Gaune Wells	SELF	X	
(Kevin) Toughlin	Self	X	
Jan (Lod)	SELF	X	
Donald Harr	MT Chap American Foundation on Suicide Mr. Psychiatric Association Prevention	X	
Michelle Korte	Winn Motion	X	
Jack Johnson	school kids	X	
James Green	MHRN	X	
Nicole Gray	Self	X	
Vicki Turner	DPHHS	✓	
Lynda BRANNON	MIEA	X	
HARRIS HIMES	MT Eng & Forum		X
Jon Runnalls	Self		
Anne GRONZER	Billings Clinic	X	
Megan Lane	Self	X	
Don Judge	MT Nurses Association	X	
Becca Harper	Students	X	
Torey Keltner	Helena Police Dept.		
Marco Fesio	MEIT - MFT	X	
Bruce Messenger	Helena Schools	X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Leah Brown
A. Smith
Beth Brauer

MCADSV
MTLH
DRMT

X
X
X

MONTANA House of Representatives
Visitors Register
HOUSE EDUCATION COMMITTEE

Monday, March 21, 2011

SB 315 - Revise school law on standard of review for school board decisions

Sponsor: Senator Rick Ripley

PLEASE PRINT

Name	Representing	Support	Oppose
LANCE MELTON	MTSBA	X	
Debra Sill	MTSBA	X	
Marsha Davis	MACSS		X
Bruce Leaver	MSA-MFT		X
Jon Runnalls	SELF / MEA / MFT		X
Steve Engebretson	Dawson County / MACSS		X
Beckie Squires		X	X
Megan Lark	Self	X	X
Dennis Harman	OPJ		X
Kendra Jelsa	Self		X
Dave Turner	MEA	X	
Tammy Alchert	MEA		X
Myrco Feroo	MSA-MFT		X
Bruce Messenger	Helena Schools		X

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA House of Representatives
Visitors Register
HOUSE EDUCATION COMMITTEE

Monday, March 21, 2011

SB 208 - Allowing Saturday school in K-12 schools

Sponsor: Senator Ron Erickson

PLEASE PRINT

Name	Representing	Support	Oppose
LANCE MELTON	MTSBA	X	
Marco Ferro	MEH MIFT	X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.